

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

In re: Mortgage Foreclosure Cases)))))	Misc. No. 11-mc-88-M-LDA
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FINAL RECOMMENDATION OF DISMISSAL

This Supplement is filed as an update to the Recommendation of the Special Master to dismiss (see ECF filing #2153) a number of cases for non-compliance with the May 31, 2013 Order to Comply, specifically with reference to the failure by certain plaintiffs to fully pay assessed Use and Occupancy Fees and Retainer Fees no later than June 6, 2013. Since the filing of that Recommendation, certain events have transpired in some of the cases embraced within that Recommendation, and the Special Master updates her recommendation as follows.

1. Recommendation of Dismissal Maintained

In the following cases, the plaintiffs have failed to make full payments toward the Use and Occupancy arrearage. The Special Master **maintains the recommendation to dismiss** for want of full payment:

<u>CA Number</u>	<u>Plaintiff name</u>	<u>Monthly Amount</u>	
		<u>Balance</u>	<u>Due</u>
CA 12-022	Otano v. Mortgage Electronic Registration Systems, Inc. et al (For the months of March through May 2013)	430	1080
CA 12-462	Meresi v. Mortgage Electronic Registration Systems, Inc. et al (For the months of April and May 2013)	370	740

<u>CA Number</u>	<u>Plaintiff name</u>	<u>Monthly Amount</u>	
		<u>Balance</u>	<u>Due</u>
CA 12-855	Danti-King v. Delta Funding et al (For the months of April and May 2013)	820	1640
CA 13-074	Estate of Felipe Caba v. Mortgage Electronic Registration Systems, Inc. et al (For the months of April and May 2013)	340	680

2. Recommendation to dismiss deferred

The following cases were discussed at a recent settlement conference, and the Special Master was told that these cases are near settlement. Accordingly, the Special Master's recommendation at this time is to **defer dismissal of these cases until July 20, 2013**, at which time they should be dismissed by the Court if they have not already been dismissed by stipulation:

<u>CA Number</u>	<u>Plaintiff name</u>	<u>Monthly Amount</u>	
		<u>Balance</u>	<u>Due</u>
CA 11-612	Rene v. Mortgage Electronic Registration Systems, Inc. et al (For the months of March through May 2013)	420	1260
CA 12-030	Gomez v. Mortgage Electronic Registration Systems, Inc. et al (For the months of March through May 2013)	480	1440
CA 12-156	Southland et al v. Mortgage Electronic Registration Systems, Inc. (For the months of April and May 2013)	720	1440
CA 12-800	Gomersall v. Mortgage Electronic Registration Systems, Inc. et al (For the months of March through May 2013)	740	2220

In the following cases, the plaintiffs have failed to make full payments toward the Use and Occupancy arrearage. However, the plaintiffs have sought an additional two week extension in which to file an objection to the show cause order. The Special Master will defer her final recommendation until such date:

<u>CA Number</u>	<u>Plaintiff name</u>	<u>Monthly Amount</u>	
		<u>Balance</u>	<u>Due</u>
CA 11-622	Pitts v. Mortgage Electronic Registration Systems, Inc. et al (For the months of April and May 2013)	280	560

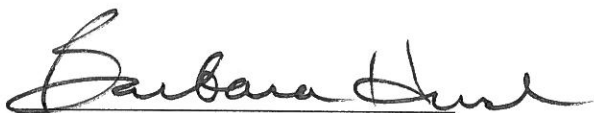
CA Number	Plaintiff name	Monthly Balance	Amount Due
CA 12-048	Senra et al v. Mortgage Electronic Registration Systems, Inc et al (For the months of April and May 2013)	650	1300
CA 12-114	Goncalves et al v. Mortgage Electronic Registration Services, Inc. (For the months of April and May 2013)	520	1040
CA 12-443	DaSilva et al v. Mortgage Electronic Registration Systems, Inc. (For the months of April and May 2013)	1090	2180
CA 12-663	DiCostanzo v. Mortgage Electronic Registration Systems, Inc. (For the months of April and May 2013)	360	720
CA 12-853	Fiore v. Wachovia Mortgage; FSB et al (For the months of April and May 2013)	810	1620
CA 12-854	Montgomery et al v. Mortgage Electronic Registration Systems, (For the months of April and May 2013)	810	1620
CA 12-868	Vaz et al v. Option One Mortgage Corporation et al (For the months of April and May 2013)	760	1520
CA 13-058	Rainone v. Chase Bank USA, NA et al (For the months of April and May 2013)	990	1980
CA 13-065	Nicolace v. JP Morgan Chase Bank NA (For the months of April and May 2013)	570	1140
CA 13-070	Rost, Sr. et al v. Option One Mortgage Corporation et al (For the months of April and May 2013)	260	520
CA 13-077	Carignan v. Wells Fargo Bank, NA et al (For the months of April and May 2013)	500	1000
CA 13-078	Benevides v. Option One Mortgage Corporation et al (For the months of April and May 2013)	510	1020
CA 13-084	Batista et al v. Mortgage Electronic Registration Systems, Inc. et al (For the months of April and May 2013)	590	1180
CA 13-085	Bittner et al v. Mortgage Electronic Registration Systems, Inc. et al (For the months of April and May 2013)	520	1040
CA 13-109	Loffredo et al v. Wells Fargo Bank, NA et al (For the months of April and May 2013)	480	960

3. Recommendation to dismiss withdrawn

In the following cases, the plaintiffs have made payments. The Special Master **withdraws the recommendation to dismiss** notwithstanding her right to insist on full and timely future payments:

CA 12-034 Paliotta et al v. Mortgage Electronic Registration Systems, Inc et al
CA 12-264 Fonseca et al v. Mortgage Electronic Registration Systems, Inc. et al
CA 12-420 Arango v. Mortgage Electronic Registration Systems, Inc. et al
CA 12-604 Romano et al v. Mortgage Electronic Registration Systems, Inc. et al
CA 13-007 Salkeld v. Wells Fargo Bank, N.A. et al

Respectfully submitted,



Barbara Hurst
Deputy Special Master

6/20/2013
Date

BH/es